

Message Text

PAGE 01 STATE 163017

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TO ALL DIPLOMATIC POSTS

CINCLANT

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AMEMBASSY SUVA BY POUCH

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AMEMBASSY ATHENS BY POUCH

AMEMBASSY ANKARA BY POUCH

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XMT AMEMBASSY CARACAS

UNCLAS STATE 163017

CINCLANT FOR POLAD CINCPAC FOR POLAD

DAKAR PASS BANJUL

FOLLOWING TELEGRAM FROM CARACAS DATED JULY 20, 1974 SENT SEC-
STATE WASHDC INFO USUN NEW YORK IS REPEATED TO YOU:
QUOTE

CARACAS 6842

FROM US DEL LOS

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: WEEKLY UNCLASSIFIED SUMMARY REPORT JULY 12-18

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PAGE 02 STATE 163017

1. SUMMARY: GENERAL STATEMENTS IN PLENARY ENDED JULY 15.
IN ADDITION STATEMENTS BY 11 STATES, CONFERENCE HEARD REPRESENTATIVES OF NON GOVERNMENTAL ORGANIZATIONS INCLUDING REP OF UNCTAD WHO ALSO SPOKE IN COMMITTEE I (SEABED REGIME). GENERAL

DEBATE CONTINUED IN MAIN COMMITTEES EXPECTED TO END IN COMMITTEES I AND III THIS WEEK. U.S. STATEMENT IN COMMITTEE I JULY 17. STATEMENT ON SCIENTIFIC RESEARCH UPCOMING FRIDAY. STATEMENTS IN MAIN COMMITTEES MOSTLY BRIEF AND CONCILIATORY IN TONE, WITH INCREASED ATTENTION TO EXTENT OF RIGHTS AND DUTIES IN COASTAL ZONE IN BOTH COMMITTEES II AND III AND TO NAVIGATION RIGHTS INCLUDING PASSAGE THROUGH INTERNATIONAL STRAITS. COMMITTEE II ENDED DISCUSSION OF ITEM 2 (TERRITORIAL SEA) AND CHAIRMAN SUBMITTED INFORMAL WORKING PAPER REFLECTING MAIN TRENDS IN ALTERNATIVE TEXTS. END SUMMARY.

2. PLENARY STATEMENTS: PLENARY STATEMENTS THIS WEEK INCLUDED JAPAN, INDONESIA, AND REPRESENTATIVE OF UNCTAD. JAPAN EMPHASIZED NECESSITY FOR UNAMBIGUOUS DEFINITION OF ARCHIPELAGOES TO PROTECT NAVIGATION AND OTHER CONVENTIONAL INTERESTS. RE STRAITS JAPANESE STATEMENT SUPPORTED FREEDOM OF NAVIGATION TO MAXIMUM EXTENT BUT ACKNOWLEDGED NEED CONSIDER LEGITIMATE COASTAL STATE CONCERNS RE POLLUTION, SAFETY AND SECURITY. INDONESIA MADE MAJOR STATEMENT ON ARCHIPELAGOES SUGGESTING THAT DEFINITIONS MIGHT BE DIFFERENT FOR ARCHIPELAGIC STATES AND ESSENTIALLY CONTINENTAL STATES WITH ARCHIPELAGOES. RE NAVIGATION INDONESIA SPEECH EMPHASIZED DEPENDENCE OF ALL STATES ON INNOCENT PASSAGE OF MERCHANT SHIPS IN ARCHIPELAGIC WATERS AND SUGGESTED POSSIBLE SEPARATE REGIME FOR COMMERCIAL AND MILITARY PASSAGE. RE STRAITS INDONESIA SUPPORTED MORE PRECISE INNOCENT PASSAGE REGIME. UNCTAD SPEAKER REFERRED TO UNCTAD STUDIES WHICH HE CLAIMED DEMONSTRATED INEVITABILITY OF ECONOMIC LOSS TO LDC METALS PRODUCERS FROM SEABED MINING AND NEED TO PROVIDE ARRANGEMENTS FOR PROTECTION FROM LOSS IN SEABED REGIME, BY EITHER SYSTEM OF COMPENSATION OR CONTROL OF PRODUCTION. SAME POINTS ALSO MADE IN COMMITTEE I WHERE COUNTERED BY STEVENSON REVIEW ECONOMIC IMPLICATIONS.

3. STEVENSON STATEMENT COMMITTEE I. STEVENSON STATEMENT INTENDED TO FOCUS ATTENTION OF COMMITTEE ON "CENTRAL ISSUE" OF EXTENT OF CONTROL BY PROPOSED SEABED AUTHORITY OVER COMERCIAL DEVELOPMENT OF RESOURCES OF INTERNATIONAL SEABED AREA. UNCLASSIFIED

PAGE 03 STATE 163017

STEVENSON SAID CONTROL WOULD BE EXERCISED THROUGH FOUR PRINCIPAL ORGANS, AND SUBSIDIARY ORGANS OF AUTHORITY, AND QUESTION WAS "HOW MUCH CONTROL, SUBJECT TO WHAT SAFEGUARDS, AND OVER WHAT ACTIVITIES". STATEMENT AGAIN STRESSED NEED IN ALL CASES TO BALANCE RIGHTS WITH DUTIES AND CITED POINTS OF PARTICULAR IMPORTANCE TO U.S.: NON DISCRIMINATORY ACCESS TO RESOURCES OF THE AREA, CONTROL BY THE AUTHORITY ONLY OF ACTIVITIES IN THE SEABED AREA WHICH RELATED DIRECTLY TO EXPLORATION AND EXPLOITATION OF SEABED RESOURCES, CHECKS AND BALANCES, AMONG ORGANS OF AUTHORITY, DEFINED SYSTEM OF RULE MAKING, PROVISIONS FOR COMPULSORY SETTLEMENT OF DISPUTES, REALISTIC VOTING ARRANGEMENT IN THE COUNCIL OF THE AUTHORITY AND ARRANGEMENTS FOR PROVISIONAL APPLICATION OF TREATY.

B. ECONOMIC IMPLICATIONS: STEVENSON ADDRESSED QUESTION OF PROPOSALS OF SOME STATES FOR PRICE AND PRODUCTION CONTROLS WHICH HE SAID MIGHT ALSO HAVE EFFECT OF LIMITING ACCESS, AND URGED THAT IN LIGHT OF RECENT EXPERIENCE IT WOULD BE USEFUL FOR ALL COUNTRIES WHETHER DEVELOPED OR DEVELOPING WHO ARE CONSUMERS OF THESE MATERIALS TO ANALYZE THEIR INTERESTS TOGETHER. ON SPECIFIC ISSUE OF ECONOMIC EFFECTS STEVENSON SAID THAT UN ECONOMIC STUDIES HAVE SHOWN THAT INCREASE IN COPPER DEMAND WILL GREATLY EXCEED RATE OF DEVELOPMENT FROM SEABED PRODUCTIONS, THAT THERE IS SIMILAR THOUGH LESSER PROJECTION RE NICKEL WHICH IS IN ANY CASE A DEVELOPED COUNTRY EXPORT, AND THAT EFFECT ON MANGANESE IS SPECULATIVE AND TO US KNOWLEDGE ONLY ONE COMPANY HAS PLANS FOR ANY PRODUCTION OF MANGANESE FROM NODULES. AMB SAID THAT COBALT PRODUCTION OF ONE OR TWO LDCS MAY BE AFFECTED AND THAT IN THESE CASES APPROPRIATE MEASURES COULD BE CONSIDERED AND PROBLEMS IN REALITY MAY BE QUITE SMALL.

C. PARALLEL REGIMES: STEVENSON ALSO ENDORSED VIEW OF DELEGATES WHO REJECTED PROPOSALS OF SOME STATES FOR A PARALLEL SYSTEM OF EXPLOITATION WHICH WOULD PERMIT BOTH LICENSING AND DIRECT EXPLOITATION BY THE AUTHORITY. HE STRESSED NEED FOR SINGLE SYSTEM WHICH WOULD ACCOMMODATE INTERESTS OF ALL.

4. COMMITTEE I (SEABED REGIME) IN ADDITION TO U.S., COMMITTEE HEARD STATEMENTS FROM MORE THAN 60 STATES IN COURSE OF WEEK. SEVERAL DELEGATIONS, PRIMARILY LATIN AMERICA, REFERRED DURING GENERAL DEBATE TO NEED FOR INTERNATIONAL REGIME TO COVER RESOURCES OF WATER COLUMN ABOVE INTERNATIONAL SEABED AREA. U.S. INTERVENED IN DEBATE TWICE TO ADVISE COMMITTEE THAT UNCLASSIFIED

PAGE 04 STATE 163017

SUBJECT WAS OUTSIDE MANDATE OF CI. STATEMENTS OF SEVERAL LDC AND EUROPEAN DELS INDICATED SHIFT IN POSITION TOWARDS MIXED EXPLOITATION SYSTEM IN WHICH BOTH LICENSING AND DIRECT EXPLOITATION BY AUTHORITY WOULD BE CONDUCTED SIMULTANEOUSLY OR AT OPTION OF AUTHORITY. ANOTHER VARIANT OF THIS APPROACH WOULD PERMIT LICENSING IN EARLY YEARS WITH AUTHORITY EVENTUALLY REPLACING LICENSING WITH DIRECT EXPLOITATION, WHEN IT GAINED TECHNICAL AND FINANCIAL COMPETENCE. WITH RESPECT TO ECONOMIC IMPLICATIONS, THERE WAS WIDESPREAD LDC SUPPORT FOR GRANTING AUTHORITY POWERS TO PREVENT ADVERSE ECONOMIC EFFECTS OF SEABED PRODUCTION ON LAND-BASED PRODUCERS. THERE HAVE BEEN SLIGHT INDICATIONS, HOWEVER, THAT SOME LDCS ARE BEGINNING TO REVIEW THEIR INTERESTS AND CONSUMERS IN PRODUCTION CONTROLS ISSUE. SEVERAL INDUSTRIALIZED NATIONS, INCLUDING USSR, ENDORSE SOME FORM OF QUOTA SYSTEM FOR AMOUNT OF SEABED AREA ALLOTTED ANY STATE. LARGE NUMBERS OF SPEAKERS, BOTH DEVELOPED AND DEVELOPING SUPPORTED NECESSITY FOR DISPUTE SETTLEMENT MACHINERY.

5. COMMITTEE II (STRAITS, TERRITORIAL SEA, ECONOMIC ZONE, ETC) AT COMPLETION OF DEBATE ON ITEM 2 (TERRITORIAL SEA) ON THURSDAY, CHAIRMAN (AGUILAR VENEZUELA) PRESENTED DRAFT TEXT BASED ON PRIOR TABLED TEXT AND REPRESENTING MAJOR POINTS OF VIEW IN TERRI-

TORIAL SEA DEBATE. POSITIONS REFLECTED WERE, IN GENERAL, THOSE FAVORING 12 MILE TERRITORIAL SEA AND DEFINITION OF TERRITORIAL SEA IN 1958 CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE, AND THOSE FAVORING SO-CALLED 200-MILE TERRITORIALIST APPROACH FOR LATTER GROUP, PERU AND URUGUAY STATED THAT DEFINITIONS SHOULD BE IN TERMS OF NATIONAL AND INTERNATIONAL ZONES, AND NOT IN CLASSICAL TERMS LIKE TERRITORIAL SEA, HIGH SEAS, AND ECONOMIC ZONE. COMMITTEE II WILL BEGIN DISCUSSION NEXT ITEM (ON CONTIGUOUS ZONE). ON JULY 18 WHILE CHAIRMAN CONSIDERS HOW TO REVISE DRAFT WORKING PAPER ON TERRITORIAL SEA IN LIGHT OF OBJECTIONS RAISED BY SOME DELEGATES, PRINCIPALLY ON LACK OF INCLUSION OF ARCHIPELAGO WATERS BASELINES IN DEFINITION OF ITEM. POSITION OF US AND CHAIRMAN IS THAT ARCHIPELAGOES ARE LISTED AS A SEPARATE AGENDA ITEM (AS ARE QUESTION OF STRAITS AND ECONOMIC ZONE) AND WILL BE FULLY CONSIDERED LATER.

6. COMMITTEE III (MARINE POLLUTION AND SCIENTIFIC RESEARCH). FIRST HALF OF WEEK HEARD BRIEF GENERAL STATEMENTS ON POLLUTION, WITH SCIENTIFIC RESEARCH BEING DISCUSSED LAST TWO DAYS. (US DID UNCLASSIFIED

PAGE 05 STATE 163017

NOT MAKE FORMAL STATEMENT ON POLLUTION BUT WELCOMED GENERALLY CONCILIATORY TONE OF STATEMENTS). AMONG COMMON TRENDS WERE INCREASING SUPPORT FOR SPECIAL AREA TYPE APPROACH WITHOUT SPECIFYING DETAILS, SUPPORT FOR COASTAL STATE MEASURES RE DUMPING, AND SUPPORT FOR CONCEPT OF COMPULSORY SETTLEMENT OF DISPUTES. SPEECHES ALSO INDICATED SOME FLEXIBILITY ON APPLICATION OF ZONAL APPROACH. CANADA AND AUSTRALIA MADE DETAILED STATEMENT SUPPORTING THEIR PREVIOUS PROPOSALS FOR A ZONAL APPROACH WHICH WOULD GIVE COASTAL STATES RIGHT TO SET AND ENFORCE STANDARDS ON VESSEL-SOURCE POLLUTION IN A BROAD ZONE.

7. GENERAL STATEMENTS ON SCIENTIFIC RESEARCH IN COMMITTEE THREE BEGAN THURSDAY, JULY 18. NUMBER OF STATEMENTS BROOK UP THEME THAT COASTAL STATE CONSENT TO SCIENTIFIC RESEARCH WAS NECESSARY FOR SECURITY REASONS IN ECONOMIC ZONE. REFERENCE WAS ALSO MADE BY SOME STATES TO NEED FOR REGULATION OF SCIENCE IN AREAS BEYOND NATIONAL JURISDICTION. OTHER STATES WERE CRITICAL OF PROPOSED RESTRICTIONS ON LEGITIMATE SCIENTIFIC RESEARCH ACTIVITIES. US STATEMENT FRIDAY MORNING WILL EMPHASIZE ADVERSE EFFECTS ON BOTH EXTENT AND COST OF MUCH NEEDED SCIENTIFIC RESEARCH IN OCEANS IF SUCH RESEARCH REQUIRES THE CONSENT OF THE COASTAL STATE IN A 200-MILE ZONE WHICH WOULD ENCOMPASS ONE-THIRD OF THE OCEANS AND AN AREA OF PRIMARY IMPORTANCE TO MARINE RESEARCH.

STENVENSON
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INGERSOLL

NOTE BY OC/T: POUCHES SUVA, BAGHDAD, ATHENS, ANKARA AND NICOSIA.

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CINCLANT
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SUVA BY POUCH
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